

CC: TO JUDGE PMThe Honorable Barbara J. Rothstein  
Noted for Hearing July 13, 2001FILED ENTERED  
LODGED RECEIVED

JUN 28 2001 PM

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTYUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLEKENYATTO ALLAH and GREGORY  
LEWIS,

Plaintiffs,

v.

CITY OF SEATTLE, et al.,

Defendants.

No C00-1061R

DECLARATION OF TED BUCK  
SUPPORTING MOTION TO CHANGE  
TRIAL DATE

TED BUCK declares as follows:

1. I am one of the principal attorneys for the defendants in this matter and make this declaration of my own personal knowledge.

2. With great reluctance I ask the court to postpone the trial date in this matter for a very brief time. A conflicting event has arisen that is very important to me personally and has been long in the planning. For the past several years my brothers and I have been attempting to organize a trip to Alaska to commemorate my father's birthday. After much discussion and planning, we settled upon this fall as the year that we would make the trip, associating it with my father's 70<sup>th</sup> year. We made the decision to plan the trip specifically for this fall last summer (August 2000).

3. We were unable to secure particular dates for the trip until just recently, however. Specifically, one of my brothers had to locate a guide with availability to take us

DECLARATION OF TED BUCK  
SUPPORTING MOTION TO CHAI  
DATE - 1

S. JAMES E. COOPER

Y S  
ER  
E  
/01-2621  
9900

1 into the back country at a time that would coincide with the appropriate hunting season. He  
2 was able only recently to finalize those arrangements

3 4. Our trip has been scheduled to begin on September 15<sup>th</sup> and continue  
4 through September 25<sup>th</sup>. I am planning to leave for Alaska on September 13<sup>th</sup>. The trial date  
5 in this case is on September 17<sup>th</sup>. To resolve the conflict in those dates, I am requesting  
6 that the court move the trial date of this matter to a different time that is mutually convenient  
7 for the parties and the court.

8 5. I have addressed the issue of this conflict with opposing counsel and asked  
9 their cooperation in obtaining a new date for the trial. Attached to this declaration as  
10 Exhibit 1 is a true and correct copy of the letter I sent to the plaintiff's attorneys asking for  
11 that accommodation. Attached to this declaration as Exhibit 2 is a true and correct copy of  
12 the response I got from the plaintiffs' attorneys denying my request.

13 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE  
14 OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

15 DATED this 27<sup>th</sup> day of June, 2001.

16  
17   
18 \_\_\_\_\_  
19 Ted Buck

20  
21  
22  
23  
24  
25  
26  
DECLARATION OF TED BUCK  
SUPPORTING MOTION TO CHANGE TRIAL  
DATE - 2

\\SFC3\DATA\CLIENTS\3000\000\3019\21270\PLEADINGS\CHANGE TRIAL-BUCK DECL DOC

STAFFORD FREY COOPER  
Professional Corporation  
ATTORNEYS  
2500 RAINIER TOWER  
1301 FIFTH AVENUE  
SEATTLE, WASHINGTON 98101-2621  
TELEPHONE (206) 623-9900

Certificate of Service

The undersigned certifies under the penalty of perjury according to the laws of the United States and the State of Washington that on this date I caused to be served in the manner noted below a copy of this document entitled DECLARATION OF TED BUCK SUPPORTING MOTION TO CHANGE TRIAL DATE on the following individuals:

William Broberg  
Kristine Costello, P S  
615 Second Avenue, Suite 760  
Seattle, WA 98104

*Co-Counsel for Plaintiffs*

Richard E. Mitchell, Esq.  
Dorsey & Whitney LLP  
1420 Fifth Avenue, Suite 3400  
Seattle, WA 98101

*Co-Counsel for Plaintiffs*

☐ Via Facsimile  
☐ Via Mail  
☒ Via Messenger

DATED this 28<sup>th</sup> day of June, 2001, at Seattle, Washington.

  
Brina Carranza

DECLARATION OF TED BUCK  
SUPPORTING MOTION TO CHANGE TRIAL  
DATE - 3

\\SFC3\DATA\CLIENTS\3000\000\3019\21270\PLEADINGS\CHANGE TRIAL-BUCK DECL DOC

STAFFORD FREY COOPER  
Professional Corporation  
ATTORNEYS  
2500 RAINIER TOWER  
1301 FIFTH AVENUE  
SEATTLE, WASHINGTON 98101-2621  
TELEPHONE (206) 623-9900



**STAFFORD FREY COOPER**

J WILLIAM ASHBAUGH  
SCOTT D BISSELL  
MICHAEL C BOLASINA  
ANNE M BREMNER  
THERON A BUCK  
HEATHER L CARR  
TOBIN E DALE  
BLAKE EDWARD DIAS  
A RICHARD DYKSTRA  
SCOTT D FLETCHER  
THOMAS D FREY  
KENNETH HOBBS  
STEPHEN P LARSON  
LISA M MARCHESE

*Professional Corporation*  
*Founded 1905*  
ATTORNEYS  
2500 RAINIER TOWER  
1301 FIFTH AVENUE  
SEATTLE, WASHINGTON 98101-2621  
TELEPHONE (206) 623-9900  
FACSIMILE (206) 624-6885  
WWW.STAFFORDFREY.COM

MARCUS B NASH  
WILLIAM L NEAL  
DAVID J ONSAGER  
JOHN E D POWELL  
KATHERINE M STEELE  
PHILLIP L THOM  
KIM M TRAN  
JAMES P WAGNER  
JAMES T YAND

OF COUNSEL  
RONALD S BEMIS  
JOHN G COOPER  
SHANNON STAFFORD

June 1, 2001

**COPY BY FACSIMILE; ORIGINAL BY MAIL**

David Goodnight, Esq.  
Dorsey & Whitney  
1420 Fifth Avenue, #3400  
Seattle, WA 98101

Re: Allah and Lewis v. City of Seattle  
Our File No.: 3019/21270

Dear David:

Thank you for providing June 15 for the depositions of your clients. We will send out revised notices setting Mr Lewis at 9:00 and Mr. Allah at 1.00.

On a different front, I would like your cooperation in moving the current trial date. I have a personal conflict, a trip to Alaska my brothers and I are giving my father in recognition of his seventieth birthday. We are leaving September 13 and I will return September 25. From past experience we are aware that the court prefers these matters be handled cooperatively, and Steve and I shall endeavor to accommodate any alternative date you may desire. This trip is quite important to me and I appreciate your consideration of this request.

I look forward to your response.

Very truly yours,

STAFFORD FREY COOPER



Ted Buck



## DORSEY & WHITNEY LLP

MINNEAPOLIS  
NEW YORK  
SEATTLE  
DENVER  
WASHINGTON, D C  
DES MOINES  
ANCHORAGE  
LONDON  
COSTA MESA

U S BANK CENTRE  
1420 FIFTH AVENUE, SUITE 3400  
SEATTLE, WASHINGTON 98101  
TELEPHONE (206) 903-8800  
FAX (206) 903-8820

RICHARD E MITCHELL  
Direct Line (206) 903-8881  
Fax (206) 903-8840  
MITCHELL.RICHARD@DORSEYLAW.COM

BILLINGS  
GREAT FALLS  
MISSOULA  
BRUSSELS  
FARGO  
HONG KONG  
ROCHESTER  
SALT LAKE CITY  
VANCOUVER

RECEIVED

JUN 07 2001

STAFFORD FREY COOPER

June 6, 2001

c/m#700010-78

### VIA FACSIMILE & FIRST CLASS MAIL

Theron Buck, Esq.  
Stafford Frey Cooper  
2500 Raimier Tower  
1301 Fifth Avenue  
Seattle, WA 98101-2621

RE: Kenyatto Allah and Gregory Lewis v City of Seattle, et al  
U.S. District Court, Western District of Washington, No C00-1061R

Dear Mr Buck:

Since October of last year, we have organized our schedules and personal trips around the 10 day trial commencing on September 17, 2001. Although we wish your father and family the best on this momentous occasion, we are not, however, in a position to accommodate your request to continue the current trial date.

Very truly yours,

DORSEY & WHITNEY LLP

Richard E. Mitchell

cc: David Goodnight  
Vanessa Power  
William Broberg  
Kristine Costello